

UNITED STATES FEDERAL DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION
AT DAYTON

**IRON WORKERS DISTRICT COUNCIL
OF SOUTHERN OHIO & VICINITY
BENEFIT TRUST, *et al.***

Plaintiffs,

v.

G.M.A.B. LLC, *et al.*

Defendants.

CASE NO. 3:13-CV-00283

DISTRICT JUDGE WALTER H. RICE

CHIEF MAGISTRATE JUDGE SHARON
L. OVINGTON

NOTICE OF GARNISHMENT

YOU ARE HEREBY NOTIFIED THAT this Court has issued an Order in the above case in favor of Plaintiffs Iron Workers District Council of Southern Ohio & Vicinity Benefit Trust, *et al.*, the judgment creditors in this proceeding, directing that some of your money, property, or credits, other than personal earnings, now in the possession of RFC Contracting, Inc., the garnishee in this proceeding, be used to satisfy your debt to the judgment creditors. This Order was issued on the basis of the judgment creditor's judgment against you that were obtained in this Court on December 2, 2013. Upon your receipt of this notice, you are prohibited from removing or attempting to remove such money, property, or credits until expressly permitted by the Court. Any violation of this prohibition subjects you to punishment for contempt of court.

The law of Ohio and the United States provides that certain benefit payments cannot be taken from you to pay a debt. Typical among the benefits that cannot be attached or executed upon by a creditor are:

- (1) Workers' compensation payments;
- (2) Unemployment compensation payments;
- (3) Cash assistance payments under the Ohio Works First program;
- (4) Benefits and services under the prevention, retention, and contingency program;
- (5) Disability assistance administered by the Ohio department of job and family services;
- (6) Social security benefits;
- (7) Supplemental security income (SSI);
- (8) Veteran's benefits;
- (9) Black lung benefits;
- (10) Certain pensions.

Additionally, wages under a certain amount may not be taken to pay the debt. There may

be other benefits not included in the above list that apply in your case.

If you dispute the judgment creditors' right to garnish your property and believe that they should not be given your money, property, or credits, other than personal earnings, now in the possession of the indicated garnishee because they are exempt or if you feel that this order is improper for any other reason, you may request a hearing before this court by disputing the claim in the request for hearing form, or in a substantially similar form, and delivering the request for hearing to this Court at the above address, at the office of the clerk of this Court no later than the end of the fifth business day after you receive this notice. You may state your reasons for disputing the judgment creditors' right to garnish your property in the space provided on the form but you are not required to do so. If you do state your reasons for disputing the judgment creditors' right, you are not prohibited from stating any other reason at the hearing, and if you do not state your reasons, it will not be held against you by the Court and you can state your reasons at the hearing.

If you request a hearing, the hearing will be limited to a consideration of the amount of your money, property, or credits, other than personal earnings, in the possession or control of the indicated garnishee, if any, that can be used to satisfy all or part of the judgment you owe to the judgment creditors. No objections to the judgment itself will be heard or considered at any such hearing.

If you request a hearing by delivering your request for hearing no later than the end of the fifth business day after you receive this notice, it will be conducted on June 27, 2014 at 10:30 AM. You may request the Court to conduct the hearing before this date by indicating your request in the space provided on the form; the Court then will send you notice of any change in the date, time, or place of the hearing. If you do not request a hearing by delivering your request for hearing no later than the end of the fifth business day after you receive this, some of your money, property, or credits, other than personal earnings, will be paid to the judgment creditor.

If you have any questions concerning this matter, you may contact the office of the clerk of this Court. If you want legal representation, you should contact your lawyer immediately. If you need the name of a lawyer, contact the local bar association.

JOHN HEHMAN, Clerk

United States District Court
Southern District of Ohio

By: _____
Deputy Clerk